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## WIG CLUB.

THE Wig Club meets at Fortune's on Tuesday the 6th current. It is requested that all members in and about Town will attend.

Dinner on the table at four o'clock.

The EARL of GLENCAIRN in the Chair.

## East India Club.

THE Members are informed, That there is to be a Meeting of the Club, on Friday the 4th instant, at Bayle's Tavern.

Dinner on the table at four o'clock.

Not to be repeated.

Edinburgh, January 1. 1789.

## LOAN OF MONEY.

WANTED TO BORROW, upon unexceptionable Heritable Security, TWENTY THOUSAND POUNDS

Sterling, at 4 per cent. The interest to be paid yearly.

Apply to Robert Donaldson, writer to the Signet, Prince's Street.

## County of Ayr.

THE Freeholders of the County of Ayr, are hereby requested to meet at Ayr upon Wednesday the 14th day of January next, to take under their consideration the Resolutions of the real Freeholders of Aberdeenshire 7th November last, and letter from the Convener of their Committee, to Mr Hamilton, Convener of this County.

By order of the Convener,

Ayr, December 29. 1788. JOHN MURDOCH CLK.

## TO BE SOLD BY AUCTION IN LOTS,

At the Shop No. 26. South Bridge Street, Edinburgh, upon Monday the 5th January 1789, at ten o'clock forenoon,

## THE Whole Stock in Trade of James

Kilpatrick, merchant at Dunbar, for behoof of his Creditors.

The Goods consist of

Broad and narrow Cloths,  
Breeches and Vests,  
Hats, Hosiery, and Linens,  
Printed Calicoes, Shawls, and Handkerchiefs,  
Shalloon, Muscous, Durans,  
Camblets and J. Mawds,  
Muffins, Cambrics, Lawns, Muslinets, and Demities,  
Flannels and Bed Covers,  
Modes, Florintines, Ribbons, Laces, and Edgings,  
Sewing Silks, Buttons, Cotton Yarn, three Boxes Tea, &c.

The Goods have been bought within these few months, are in good order, mostly in whole pieces; will be found well worth the attention of dealers in these sorts of goods, and will be exposed in lots from 20l. to 200l. value.

The Goods with an inventory, may be viewed at No. 26. South Bridge Street, upon Wednesday, Thursday, Friday, and Saturday next, from ten to twelve o'clock forenoon.

## FROM THE LONDON GAZETTE, Dec. 27.

Kew, Dec. 27.

HIS Majesty passed yesterday very quietly, had

between two and three hours sleep in the night, and remains undisturbed this morning.

Vienna, Dec. 6.

The Emperor returned yesterday, in perfect health, to this capital.

Madrid, Dec. 14.

His Catholic Majesty King Charles III. after an illness of a few days, and suffering but little pain, expired yesterday at midnight, in the seventy-third year of his age, and the thirtieth year of his reign.

M. A. I. L. S.

Arrived—Flanders, 1.

Three—Ireland, 4.—Holland, 2.—France, 1.

## PARLIAMENTARY INTELLIGENCE.

### HOUSE OF LORDS.

FRIDAY, Dec. 26.

### STATE OF THE NATION.

The Lord Chancellor came to the House a little before four o'clock, when prayers being read, their Lordships instantly proceeded to the order of the day for taking into consideration the state of the nation, upon which the House resolved itself into a Committee, Lord Onslow in the chair.—The resolutions of the House of Commons being read by the Clerk,

Lord Hopetoun rose, and begged the indulgence of their Lordships, while he delivered his sentiments upon the business which was then before them: The occasion for it had been repeatedly lamented; but by none who felt it more sincerely than he did; yet the necessity was such as to compel their Lordships to take it into consideration, and not permit their feelings to get the better of their duty.

By the report of the physicians, it appeared that our Sovereign was incapacitated from attending the duties of his station, the House of Commons had received the same melancholy information, and upon which ground they had come to the resolutions which were just read by the clerk, and to which they had requested the concurrence of that House. The first, their Lordships would perceive, was little more than an affirmation of that report, and a necessity for proceeding upon it: The next was certainly of great importance, and merited due consideration. The question of right had been brought forward both in that House, and in another place, by such great and respectable authority, and maintained to exist in the Prince of Wales, and not in Parliament, that in his opinion it claimed the most serious discussion; for his part, until he should hear sufficient reasons in support of that doctrine, he maintained a very different opinion, nor could he at present imagine how the idea of the Prince possessing that right could ever enter into any man's head; he wished to have his right, if such a principle was still maintained, fully and clearly explained, and therefore it was that he had intruded upon their Lordships thus early for the purpose of soliciting information from those noble Lords who had made this matter in some measure their business.

The third resolution was such as their Lordships must see would naturally arise from the foregoing two, and therefore he hoped to find they would meet the approbation of their Lordships.

Lord Abington said, that "Having obtained the object I had in view by the agitation of the question that is now before us, and finding it to be not only in the hands of those where it ought to be, but where every possible light will be reflected upon it; I rise, under these circumstances, my Lords, to trouble your Lordships with a very few words only."

"Upon the present doleful occasion, I have heard of doctrines, that whilst I recount them in my mind, I stand almost petrified with astonishment; *animus meminisse horret*. It has been said, that deliberation in the two Houses of Parliament, at this awful crisis, is not of necessity: that the moment it was established by the report of the physicians, that his Majesty's health would not at present permit him to discharge the duties of his trust, the Prince of Wales *de jure* succeeded to that trust; and that although deliberation for form sake might be tolerated, deliberation was matter not of essence, but of form only, and must end in nothing else. And these, good gracious God! my Lords, are the doctrines of that very man, who but a while ago was plucking the Crown off the head of the Monarch, and subdividing it between himself and a self-formed heptarchical junta with himself in this and the other House of Parliament—of that very man, who calls himself a Whig—of him, who, whilst he is in the very act of erecting a monumental pillar in honour and to the memory of the glorious Revolution, is, by his doctrines, tearing up, from the very centre of the earth, the sole and only ground upon which that Revolution stands. Such are these doctrines, my Lords, and being such, I will not reason upon the subject; I will assert dogmatically; I will say, that the Prince of Wales, by the law and constitution of the land, has no more right, as Prince of Wales, to exercise the functions of the Crown than any other subject of the realm; and I challenge the stoutest lawyer of you all to controvert this position. His right, my Lords, is hereditary, and hereditary only, and that right is *posthumous*; and let us even see what this *posthumous* right is. The Crown of England is hereditary, but it is hereditary under limitations, restrictions, and provisions. The inheritance, says Sir William Blackstone, is *conditional*; and it is so, my Lords, by the express law of the land."

"For suppose, my Lords, a case to occur within the provision of this statute, and then let me ask your Lordships, who is to be the judge of the person to be incapacitated and excluded by this statute? It is the Parliament (as it has been crassly and subtly said, in order to avoid the energy of this statute) because the King is one of the constituent parts of a Parliament? Will a King exclude himself? No, no, my Lords, that exclusion appertains to us, and to the other House of Parliament exclusively. It is to us it belongs; it is our duty. It is the business of the Lords and Commons of Great Britain, and of us alone, as the trustees and representatives of the nation. It is true, my Lords, that the power to alter or new-model the succession is by law given to the King and Parliament, for these are the words of the law; and it is likewise true, that by the act of the 6th of Queen Anne, chap. 7. any person who shall maintain the contrary of this, shall be guilty of the penalties of a *premunire*. But what is the supposition of law in these cases? It is, my Lords, that the King, so standing at the head of his Parliament, has not fallen under the disabilities of the afore-mentioned act of William and Mary; that he sits on his throne under the laws and constitution of the country; that he is a King *de jure* as well as *de facto*. But if he has fallen under the disabilities of that statute, then I say, my Lords, that the right to new-model or alter the succession, vests in the Parliament of England, without the King, in the Lords and Commons of Great Britain solely and exclusively. This is Revolution doctrine, though I do not profess myself a Whig, though I am not a member of the Whig Club, nor have I subscribed to the intended politico-patriotic obelisk that is to be at Runny Mead. Neither, my Lords, am I a Tory; but I am what I glory in, and will end my life in—I am a wellwisher to, and a supporter of, the British Constitution."

"And if this be so, my Lords, where there is an hereditary right, where that right has taken place, and when the Crown is already on the head of the King, what shall we say where there is no right at all? My Lords, I do again assert, that the Prince of Wales has no more right to the Regency of this country, otherwise than as the two Houses of Parliament shall be pleased, out of their grace and favour, to bestow it upon him, than I have: he may have a claim, but he has no right. His right to govern is hereditary only; and the demise of the Crown, thank God of Heaven, has not yet taken place. May the King live for ever, my Lords, and let the established Church of England, let the hierarchy of this country say, Amen!"

"But, my Lords, when I have said this, I do not mean to say, that the Prince of Wales should not be invested with this authority. What I mean to say is, that the right is yours in conjunction with the other House of Parliament, and you will do with it as you think best. But in doing that, my Lords, let me conjure you to be wary, to be cautious, to be circumspect; the concern is weighty; the case is magnitudinous, and of importance infinite. Feel for yourselves, my Lords, feel for the nation; but above all feel, with the pity of men, for the unhappy state of the Monarch himself. Remember, my Lords, he may be restored to his health; and let us never give up the idea, that 'old Lear shall be King again.' Remember too, my Lords, that, by a vote of ours, we are now about to *destitute* a King; but will his restoration to the throne depend upon our vote? Here, my Lords, pause and think for a moment; I trust it may! But what has been, may be again. I have read a little of history, and I have there found, that it is easier to give than it is to revoke power when given; and especially too, when placed, as it may be, in the hands of those who are for or against the rights of the Crown, as it best suits with the views of their own ambition. Again, in cases of common decency, I speak with deference to the noble Lord on the woolsack, the next heir is not entrusted, from the wisdom of the law, with the guardianship of the lunatic. In the case before us, who are to be the responsible conservators of his Majesty's health, and when the conduit pipe through which this intelligence is to be conveyed to us? My Lords, the greatness of the subject calls for united wisdom, and exceeds individual ability to discuss. But inasmuch I have discharged my duty."

"A single word more, my Lords. Let the Prince of Wales reflect, that he, as George IV. may of himself have a son, who will be Prince of Wales, making the case of his father his own; and then let him judge who are, upon the present occasion, his best and truest friends—the Ministers who act as they do, or the Opposition who advise and lay down the doctrines they have done. It is said his Royal Highness is a man of sense and discernment. To the wife, therefore, my Lords, a word is enough."

Lord Rawdon, having before pledged himself to their Lordships to stand forward in case the question of right should ever be introduced in that House, found himself as it were now called upon, not so much by the resolutions themselves, as by the mode in which a noble Lord had thought proper to introduce them; to obviate any kind of discussion so absolutely foreign in itself, and totally unnecessary, he had intended to make a suggestion to their Lordships for an addition to the first resolution, which would render the others totally useless, and of course would have prevented any investigation of right that was not claimed; nay more, their Lordships have been told by the very best authority in that House, never would be. Was this intimation doubted? He believed he could venture to answer in the negative; the illustrious personage from whence it came was too high in public esteem, and too justly estimated, for an idea of that kind to exist. Why then was it brought forward? Could it possibly prove of the least advantage to their Lordships, or benefit to the kingdom?—if not, why should so much pains be taken to introduce a discussion, not upon a question in fact before the House, but merely on a sentence that had been hastily flung in another place. The noble and learned President of the Council had, on a former occasion, brought it forward, in his humble opinion, very improperly, and, as far as he yet knew, without any reason whatever;—he had expressed his sentiments against it then, and so he should now, because he thought it totally irrelevant and unconnected with the business;—this business was clearly to endeavour, in the best possible manner, to render the legislature complete, which was now deficient from the incapacity of one of its branches. Reprobating, as he did, this investigation of right, he should not trouble their Lordships with any thing upon the subject, and a very little upon the precedents which had been produced, because they appeared to him not at all in point, and entirely useless. There seemed to be, as far as he was able to learn, both from what he had heard in and out of that House, but one opinion as to the person who ought to be invested with the power; therefore, to dispute upon doing what all parties agreed ought to be done, was surely beneath the importance of that House; indeed, by the third resolution, there was some insinuation of intended limitations—he could wish some noble Lord in the secret would favour him with an account of what these limitations were.—[His Lordship pressed very strongly for this information, but could get no answer.]—It did not give him much surprise that this interrogation should not meet with the desired effect, because he was perfectly convinced that the popular opinion being so much in favour of appointing his Royal Highness the Prince of Wales sole Regent, without any kind of limitations whatever, it was become a very unpleasant business even to those who had originally pleased themselves with the fanciful limitations, and it was therefore no wonder that they should be shy of entering upon the subject, or at least being any ways communicative thereupon; yet if their Lordships acceded to these resolutions, it was plain, by the third, that something of that kind was intended, and would if possible be put in force. His Lordship dwelt with much force of argument upon the impropriety of thus having the appearance of want of confidence in his Royal Highness, at the very moment they were all agreed, he, and he only ought and should become the substitute for his father; this, in his opinion, was of sufficient magnitude to bring them to an unanimous resolution, therefore to prevent, if possible, the argument being upon a subject by no means connected with business, or necessary for their consideration, should move, that at the conclusion of the first resolution should be added, "and that an addition be presented to his Royal Highness the Prince of Wales, praying him to assume and exercise the Royal authority during the incapacity of the monarch, and no longer." This addition

of the Prince of Wales, when I have said this, I do not mean to say, that the Prince of Wales should not be invested with this authority. What I mean to say is, that the right is yours in conjunction with the other House of Parliament, and you will do with it as you think best. But in doing that, my Lords, let me conjure you to be wary, to be cautious, to be circumspect; the concern is weighty; the case is magnitudinous, and of importance infinite. Feel for yourselves, my Lords, feel for the nation; but above all feel, with the pity of men, for the unhappy state of the Monarch himself. Remember, my Lords, he may be restored to his health; and let us never give up the idea, that 'old Lear shall be King again.' Remember too, my Lords, that, by a vote of ours, we are now about to *destitute* a King; but will his restoration to the throne depend upon our vote? Here, my Lords, pause and think for a moment; I trust it may! But what has been, may be again. I have read a little of history, and I have there found, that it is easier to give than it is to revoke power when given; and especially too, when placed, as it may be, in the hands of those who are for or against the rights of the Crown, as it best suits with the views of their own ambition. Again, in cases of common decency, I speak with deference to the noble Lord on the woolsack, the next heir is not entrusted, from the wisdom of the law, with the guardianship of the lunatic. In the case before us, who are to be the responsible conservators of his Majesty's health, and when the conduit pipe through which this intelligence is to be conveyed to us? My Lords, the greatness of the subject calls for united wisdom, and exceeds individual ability to discuss. But inasmuch I have discharged my duty."

"A single word more, my Lords. Let the Prince of Wales reflect, that he, as George IV. may of himself have a son, who will be Prince of Wales, making the case of his father his own; and then let him judge who are, upon the present occasion, his best and truest friends—the Ministers who act as they do, or the Opposition who advise and lay down the doctrines they have done. It is said his Royal Highness is a man of sense and discernment. To the wife, therefore, my Lords, a word is enough."

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Lord Rawdon, having before pledged himself to their Lordships to stand forward in case the question of right should ever be introduced in that House, found himself as it were now called upon, not so much by the resolutions themselves, as by the mode in which a noble Lord had thought proper to introduce them; to obviate any kind of discussion so absolutely foreign in itself, and totally unnecessary, he had intended to make a suggestion to their Lordships for an addition to the first resolution, which would render the others totally useless, and of course would have prevented any investigation of right that was not claimed; nay more, their Lordships have been told by the very best authority in that House, never would be. Was this intimation doubted? He believed he could venture to answer in the negative; the illustrious personage from whence it came was too high in public esteem, and too justly estimated, for an idea of that kind to exist. Why then was it brought forward? Could it possibly prove of the least advantage to their Lordships, or benefit to the kingdom?—if not, why should so much pains be taken to introduce a discussion, not upon a question in fact before the House, but merely on a sentence that had been hastily flung in another place. The noble and learned President of the Council had, on a former occasion, brought it forward, in his humble opinion, very improperly, and, as far as he yet knew, without any reason whatever;—he had expressed his sentiments against it then, and so he should now, because he thought it totally irrelevant and unconnected with the business;—this business was clearly to endeavour, in the best possible manner, to render the legislature complete, which was now deficient from the incapacity of one of its branches. Reprobating, as he did, this investigation of right, he should not trouble their Lordships with any thing upon the subject, and a very little upon the precedents which had been produced, because they appeared to him not at all in point, and entirely useless. There seemed to be, as far as he was able to learn, both from what he had heard in and out of that House, but one opinion as to the person who ought to be invested with the power; therefore, to dispute upon doing what all parties agreed ought to be done, was surely beneath the importance of that House; indeed, by the third resolution, there was some insinuation of intended limitations—he could wish some noble Lord in the secret would favour him with an account of what these limitations were.—[His Lordship pressed very strongly for this information, but could get no answer.]—It did not give him much surprise that this interrogation should not meet with the desired effect, because he was perfectly convinced that the popular opinion being so much in favour of appointing his Royal Highness the Prince of Wales sole Regent, without any kind of limitations whatever, it was become a very unpleasant business even to those who had originally pleased themselves with the fanciful limitations, and it was therefore no wonder that they should be shy of entering upon the subject, or at least being any ways communicative thereupon; yet if their Lordships acceded to these resolutions, it was plain, by the third, that something of that kind was intended, and would if possible be put in force. His Lordship dwelt with much force of argument upon the impropriety of thus having the appearance of want of confidence in his Royal Highness, at the very moment they were all agreed, he, and he only ought and should become the substitute for his father; this, in his opinion, was of sufficient magnitude to bring them to an unanimous resolution, therefore to prevent, if possible, the argument being upon a subject by no means connected with business, or necessary for their consideration, should move, that at the conclusion of the first resolution should be added, "and that an addition be presented to his Royal Highness the Prince of Wales, praying him to assume and exercise the Royal authority during the incapacity of the monarch, and no longer." This addition

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Lordship observed, was what would render the other resolution nugatory; and therefore it would, he hoped, meet their Lordships' approbation.

Lord Camden was surprised, that, after so much had been boldly affirmed in favour of this right, an attempt should now be made to prevent its being brought to a fair and candid investigation. For his part, he thought they were bound to come to a determination upon it. The assertion had been made, supported, and was now gone into the world. Men had formed different opinions upon it;—and what might be the consequence of its being still suffered to remain in doubt? The fault, if any fault it was, of having introduced it into that House, was certainly his. He had done it on having received the information the claim had been set up in another place. Perhaps it had not been exactly parliamentary; but he at the time conceived it as his duty, and he thought so still. It was a question of too much moment to be left undecided; for, their Lordships should recollect, they were not merely deciding for the present moment,—they were deciding for posterity. The virtues and amiable qualities of the present their apparent might induce them to go great lengths, if it was to concern him only; but the question must be argued upon its own broad scale, and serve for a precedent, should the unhappy occasion ever again recur, when, perhaps, his very opposite in principle would stand in the same situation with respect to claim. Much had been said with respect to the mischief that might possibly accrue from bringing this right into debate. He saw no reason to apprehend any, and if there were, it was now too late. The Right had, by very high authority, been said positively to exist. That had, as positively, on the other part, been denied, with respect to the Prince of Wales, and said to exist in Parliament. These different opinions were now at issue; and it was certainly, therefore, incumbent upon their Lordships, for the satisfaction of the people, at large, to settle where and to whom this right of supplying the defect in the executive part of government, did belong. He was perfectly of opinion, the assertion would never have been made without some ground for support; and he wished to be informed what those grounds could possibly be; for, as far as he was able to decide by what he had read, he was free to give it as his settled and positive opinion, that neither, according to law or precedents, any such Right as affirming the regal authority by the heir apparent, in cases of incapacity of the crown ever did exist. The noble Lord had, indeed, proposed a method by which this question might be left undecided; a circumstance, he hoped, that would not be the case, as the uncertainty would most probably be attended with much more evil than was possible to attend its discussion and decision. To come to this decision with any degree of justice, he should repeat what he had before observed, they could not do so well as by adhering to the precedents upon the rolls, which came nearest the present circumstances, and which precedents they now had upon their Lordships' table; and although it had been pretty roundly asserted they were by no means analogous, he was not brought to that opinion, nor ready to admit the Committee or selectors of those precedents, deserved those epithets which on a former day had been so freely lavished on them; for notwithstanding these might possibly be found an omission or two, he could assure their Lordships, it had not been with any design or intention.—His Lordship then entered into a long discussion of the precedents reported by the Committee, and dwelt with some force upon those produced from the reigns of Edward II. and III. and Henry VI. These, his Lordship insisted, were exactly in point, as they contained acts in cases of infancy and incapacity, and the appointments of regencies in both cases.—The sixth of Henry VI. he stated to be so very applicable, as to have it read by the clerk. This was an application from the Duke of Gloucester to Parliament, to know what authority he had in the House of Parliament, and informing them he should not attend the House, until that was decided. The precedent also contains their Lordships' answer, affirming that they could consider him to have no other authority in Parliament than what appertained to him as Duke of Gloucester.—This case, his Lordship said, deserved particular notice, as it contained a claim and decision upon the question of Right; for whether it was made by the heir apparent or heir presumptive he could see no difference; and he wished, if there was any, some noble Lord would point it out to him. The Duke of Gloucester had here made a claim of authority, which Parliament had positively declared, did not exist; and it was not unworthy their Lordships' attention, when and by whom his claim was made; it was not made by unpopular men; it was not made in times of tumult and confusion, but in the times of perfect harmony, and by as great men as this country ever saw—it was made just after the death of the idol of his country, Henry V. in behalf of his brother, almost as much beloved as their former King, whose ashes were scarcely cold. Another precedent, scarcely less in point, was to be drawn from the latter part of the same reign, when the Duke of York was appointed protector; this, on a former debate, had been stated as a time of blood and horror, and as though that Duke had all along had his intentions on the crown; but it should be observed, that on his being asked why he appeared in arms, he replied it was entirely to redress certain repeated grievances, and that upon the promise of their being redressed, the army was disbanded; and that it was not for more than two years after that he was declared protector, at a time when the Parliament could not, as had been insinuated, be under any kind of fears, and by a Parliament which had been convened by the ambitious Margaret. As a proof of that Duke's innocent intentions, his Lordship quoted an oath of his, where he vows by the Almighty, and all his saints, he is a faithful subject to his liege Lord the King.—After dwelling a considerable time upon the above, he slightly touched upon several other precedents, and drew his conclusions from them, that there was no right in the Heir Apparent, and that there were no instances of a Re-

gency without a controul of a Council or Parliament.

As to the limitations which were so loudly urged, perhaps when known, they would be found of too little importance to have occasioned so much to have been said about them; as men could possess a higher opinion of the Prince of Wales than he did, nor would readily confide more to his hands, but he could not bring himself to argue the question in so abstract a manner, and as it appeared to him, so he hoped it would to their Lordships in general, to be much the best method of coming to a decision upon the right, and agree to the resolutions then before them. His Lordship added, if the Prince was to be fully empowered to dissolve and summon Parliament, to chuse his own Ministers, to make Treaties, and contract foreign alliances, he could not be said to be unreasonably cramped or fettered.

Lord Stormont declared, that if it was not upon so momentous an occasion, he should have to apologise for again troubling their Lordships after what he had already taken the liberty to suggest upon the subject; but he trusted he should be pardoned in attempting to explain what had fallen from the noble and learned Lord, who had at first thought proper to introduce the question of right into that House, and still adhered to the determination of having it discussed at all events, but although he should not shrink from meeting the noble Lord upon the ground, on a proper occasion, yet at the present moment he should not enter into its merits, but content himself with replying to some parts of what had fallen from the learned Lord who preceded him. That learned Lord, in the first place, had stated the beginning of the reign of Henry VI. to be all peace and tranquillity; and yet by applying to any history, it would be found we were engaged in a severe French war; and that the best blood of England was daily spilling to protect those territories, which the late King had acquired. To enter into an historical account of that period, would be taking up too much of their Lordships' time; who doubtless were well acquainted with the transactions of the Duke of Bourbon, and the pagentry made use of towards Charles, until he had obtained the French crown, and laid the foundation of that greatness that country had since arrived at. The learned Lord had also stood forward in defence of the Duke of York's pious intentions towards the latter end of that reign; but surely this was, not meant seriously?—The Duke had made many assertions; nay, it might be remembered, that his solemn protestations at St Paul's after the battle of St Albans; and though his might have accepted the protectorship with certain limitations, would any man contend it was not to serve his private purposes; and that he had not the Crown in view?—Was ever any other conclusion drawn from the perusal of that part of the English history? It was then with something more than surprise he heard it now seriously contended to give it a different turn.—The allusions made to the minority of Edward the Third, in his opinion, were just as successful as the other. There it would be found, that the measure now brought forward as a precedent, was an act which that King had been forced to put his signature to, when he was not fourteen years of age, when his father was besieged by the adherents of Queen Isabel, and when every horror of a civil war distressed this country. Not, however, to dwell upon precedents which were by no means analogous, for he desired them to show him a single instance where the Heir Apparent was of full age, he should make a few remarks upon the resolutions then before them, and endeavour to convince their Lordships, they ought to agree with the Noble Lord in his judicious amendment, as it would save them from coming to a decision, they knew not what would be the end of; for if, according to the third resolution, they were enabled to set up this shadow of fiction, to give a pretended assent to an act of the Legislature, might they not do it to others? for surely the same power that could give the assent to one act, could do it to another; and consequently, the third branch of the Legislature was rendered useless. Did their Lordships perceive, that, by such a measure, they were making a strong and alarming attack upon the prerogatives of the Crown? It was very true, that the power of the negative was scarcely ever exerted, yet our ancestors had thought that a necessary barrier against any unwarrantable innovations. Would this shadow, which he understood was intended to be created by the third resolution, possess the power of that negative? If not, it was plainly depriving even the pretended representative of monarchy of its greatest prerogative.—He had no objection to attack the citadel of sovereignty, if it was found to possess more than was for the public good; but then he would attack it at a time when it was in full vigour, and able to defend itself. He had constantly asserted, and he still maintained the same opinion, the only proper method was to adopt the mode which was now proposed by the Noble Lord's amendment, to address his Royal Highness to assume the regal authority during the incapacity of the Crown; as, by that means, Parliament would be complete, and any necessary acts might afterwards be passed in a legal and regular mode; for his Lordship insisted upon it, that although the Lords and Commons formed two Houses of Parliament, they did not form the Parliament; that could only be the case when the three branches were complete. As to the idea of any limitations, he could not conceive it either to be just or judicious, as it was in fact a reflection upon our ancestors, who had formed our constitution, as it certainly implied too much had been given to the executive branch; if not, why with to retrench it? and, as to the words of the amendment, he did not conceive they could be objected to, as they were exactly the same which had been used to William at the Revolution. His Lordship returned to what a Noble Lord (Lord Rawdon) had just said on that head, who was justly entitled to the compliment conferred on the late John Duke of Argyll.

To shake alike the Senate and the Field.

If however, their Lordships should be inclined to reject this amendment, he wished to call their attention seriously to the consequence of passing the resolutions, as they had come up from the Commons

This investing a superior power to what they actually possessed in themselves might be productive of the greatest evils, and ought to be guarded against with the utmost caution. He knew not what it might not be able to effect. They had been desirous to reject, but for posterity, who would look to these times for a precedent. This he would wish strongly to enforce on their minds, as the melancholy occasion might possibly happen in less harmonious times, and the advantages of such a precedent would be pulled to its utmost extent.—Their Lordships should also recollect that the Houses of Parliament had before now attempted innovations upon the royal prerogative. In Charles the First's reign, it was insisted the officers of state should be appointed by Parliament. The same attempt had been made at a previous period. In both attempts it failed, and he hoped it would always do so. After what he had said, it was needless to trouble their Lordships farther than to observe, that he had been pleading the cause of the constitution, the cause of the country, and he should now leave it in those hands whose votes were to preserve her from innovation.

The D. of Richmond could not imagine why the suggested right was not more strongly contended for; it ought to be decided upon; it had been boldly asserted in another place that it did exist, and supported in that House by a noble and learned Chief Justice of his Majesty's courts; why was it, therefore, now attempted to be got rid of? The precedents which were laid upon the table, his Grace affirmed, were many of them strictly analogous, and all of that kind to merit their attention. He saw no difference between agreeing to the three resolutions as from the Commons, or the amendment, as far as related to the innovation; for, if the former were to proceed by a fiction, which he admitted would be the case, the latter, in praying his Royal Highness to assume the royal prerogative did the same, only without the form or fiction. Limitations of any kind were strongly objected to, for what purpose those who made them knew, but he for one could never agree to an uncontrolled Regent—was it intended by the present amendment that the Prince of Wales should instantly be invested with sovereign power? If so, would he not be enabled to seize on the whole of his Majesty's personal property; and he would suppose a case which he protested was merely supposition, that his Majesty, from his revenues abroad, had saved a considerable sum, and laid it by for the purpose of providing for some of his numerous family, without applying to his subjects for that purpose: was the whole in that case to be taken by the Prince of Wales, and the family be dependent upon him? The King himself would be under his care; he would have the appointment of the Physicians who attended him; nay even the whole of his servants, from the two noble Lords who carried the white wands to the lowest page in the household. He did not mean to call the least reflection on the Prince of Wales, for whom he had the highest personal respect, but he thought no man ought to be trusted with power, it was the infirmity of human nature to be attached to its possession.

Lord Hawkebury said, that the fictions in law which the noble Viscount so much disliked, were practised in all times, and in all countries. When Henry VI. became King at the age of only nine months, when of course it was impossible that he should give an assent to any measure, he was, in contemplation of law, however, capable of every act of state and royalty; all writs ran in his name; he was the person, and not the Regent, who was mentioned in all grants and commissions, as giving power and authority; in his name the Royal assent was given by the Regent to all bills, and in his name was the nation governed, the laws administered, and taxes levied.

The Courts of law were open, and, by fiction, the infant King was supposed to be present among the Judges, expounding the law and administering justice. All this was *fiction*, as great as could possibly be that of a Commissioner acting under the authority of the two Houses, giving the Royal assent to a bill. Such a Commissioner, like a Regent, would derive his authority from the two Houses; and like a Regent also, he would give that assent in the name of the King, which the King was incapable of giving himself. If there was any absurdity in one case, there was just as much in the other; and an objection against one, on the score of absurdity, would lie full as strongly against the other. These fictions, he said, were countenanced by the wisest nations.—Our neighbours, the French, gave a striking proof of this in the early part of the present century. After the death of Lewis XIV. the Duke of Orleans was declared Regent by the Parliament of Paris; but, as if this authority could not be deemed legal, because it did not flow from the King, a *lit de justice* was held, to which the infant Monarch, Lewis XV. then four years and a half old, was carried to the Parliament by his *Gouvernante*, and was seated upon the throne, the Duke Regent standing by his side. The Chancellor went up to him, and knelt to receive his Majesty's orders, which were communicated through the Regent; then rising and returning to his place, he communicated the Royal will and pleasure; and the edicts thus given, as if by a King of full age, were registered by the Parliament; and from these edicts the Duke Regent derived his authority.

At the Revolution, when the throne was declared vacant, none of these legal fictions could obtain; and therefore the Courts of Law were shut up, because, as there was no King, the Royal presence in the Courts of Justice could not be supposed. But now the Courts were open, all legal processes were carried on, and the Judges held their Courts as usual, because the King being alive, and the law knowing no incapacity in his politic character, it was not absurd to suppose his presence in the Courts.

The argument drawn against the precedent taken from the early part of Henry the Sixth's reign, from the idea that the times were tumultuous, was not founded in fact; for though the country was engaged in a great foreign war, it enjoyed the greatest

tranquillity at home. Some political divisions, indeed, took place between the Duke of Gloucester and his uncle, the Cardinal of England, Bishop of Winchester, but then they never had been carried to that length as to affect the internal peace of the country. Indeed these disputes had brought out one fact of some consequence in the present case. A charge was brought against the Duke, that at the latter end of the reign of Henry IV. when that monarch was disabled by fits to which he was subject, from attending to public business, he, as son of the King, had assumed the government without the authority of Parliament. Against this charge the Duke defended himself, by admitting that such an assumption of power would have been criminal, but denying at the same time the fact upon which the charge was founded. The charge was made in Parliament, and referred to a Committee of Lords, who made a report entirely in favour of the Duke. These, and several other arguments which we have not time now to report, were urged by the noble Lord in favour of the resolutions, as they came originally from the House of Commons.

Lord Portchester declared his abhorrence of the idea of setting up a shadow and proceeding upon a fiction, when there did not exist the least necessity for it. He thanked Lord Rawdon for his motion, and very successfully combatted several of the axioms laid down in favour of the resolutions, which, he said, were absolutely contradictory in themselves; for the first of them clearly and unequivocally declared, that the executive power of the crown was incapable of acting, and yet the third resolution went to employ that very executive power as an active agency. A learned Lord said he could see no difference between an heir apparent and an heir presumptive; the difference was plain in this simple case, the lineal succession could not be injured in the former, whereas it might in the latter; but that learned Lord had declared there existed no difference between infancy and incapacity by infirmities, although he believed the difference was plain to every man in the kingdom. He hinted at the necessity there was for caution in putting the Great Seal, without the King's command, as an act of indemnity might not always be procured, and yet it might be necessary.

The Earl of Carlisle could not perceive that because the House of Commons had passed a resolution, that was any additional argument why their Lordships should pass it also. The Commons indeed, in this instance, had gone beyond their usual mode, for they had absolutely decided what was the right of their Lordships, and so saved them the trouble of any enquiry. He thought the attempt to bring forward a decision of right which had never been claimed, and especially after their Lordships had been told from the highest possible authority it never would, was very reprehensible; it was particularly incumbent on their Lordships to proceed with caution; for in his opinion, it would be of infinite more consequence to differ in our proceedings with Ireland, than alter a resolution of the House of Commons. If we acted right and justly, there could be no doubt but Ireland would follow our footsteps; but if, on the contrary, we deviated from the path of propriety, we must expect her to differ as far as to the trait road of rectitude. After exposing the futility of several of the precedents, he concluded, by expressing his hearty wishes in favour of the amendment.

The Marquis of Lansdowne succeeded the Earl of Carlisle, and in a matterly manner decided openly the part he took, and would be understood to have taken in the present political dispute. He prefaced what he had to say by observing, that he wished the third resolution had not been conjoined to the two that had preceded it. For had that been the case, he was well assured that there would have existed in the House of that day scarce a dissenting voice. Whatever might be the difference of opinion with men in general, with respect to the limitations which were talked of being imposed upon the Regency, he believed there was but one sentiment where the right of appointment ought to rest. That right, however evaded at first, was now universally allowed to reside in the two Houses of Parliament, being the only perfect estates which are now in existence.

His Lordship, after commenting thus on the nature of the third resolution, referred shortly to the precedents on the table. He remarked, that though there were numerous instances of Regencies in our own annals, there were none precisely in point; some there were, however, approaching near to it. He had recourse to the Regencies of Hanover, and from what he could collect from the most ingenious and respectable men in that country, furnished no precedent in any manner appropriate to the present period. For his part, independent of the weight and force of those papers and documents which were now before them, he should find no difficulty in regulating his conduct on the business of that right; the way was clear and manifest. The authority of former ages marked out most plainly the path that should be pursued. The idea that both the Houses assembled in the manner that they had been, were not competent to act of themselves, was idle and nugatory; and to prove this he contrasted the Convention Parliament with that which was now in being, and with considerable extraneous argument, clearly pointed out the superior powers of the present.

His Lordship next adverted to the properties of the Crown, and considered it in as far as it was hereditary. He shewed by various quotations the true design of the institution of royalty; and remarked, with becoming propriety, on the correction of Justice made by Judge Foster. Justice Hale had delivered it as his opinion, that the Crown was a *defensible property*, and should be no more restricted in its succession than a *hogsty*, or any other more trivial heritage. But Judge Foster, in contradiction to this, had declared, that the Crown was an *office held of the people* for their good, and it would be theirs to rectify its falling into such hands where any thing of evil might chance to be apprehended. Directly in this light did his Lordship consider the

Crown. It was the people's property, not to be used in Parliament but in the name of the people, and it would be justly and directly their right to rectify its falling into such hands where any thing of evil might chance to be apprehended.

Amongst this House observed, of Henry V. been taken, commenced assuming this to the Prot. justly entitled. fation to agency; but it was intro. ing ground. nters might a secure pa. and sanction. but it was it was not involving o.

In agri. Houses of Prince, in had been without demand? Was it to metropolis them to more than that now going lous city. The reve. few indivi. pleased; b. joined; b. to judge. ests in the quent de. now no demand.

It was take to it it went to the execu. verment on whom But wot. reigners been ex. the ana. Would tries to quire i was no real an it first small f as he which ought. Lo. entire. Folt. that u rent i. Wale. ment. judge. the l. and. tive. be tr. F. the had that. was. soci. ver. Th. situ. ly. as. ed. no. be. th. ty. ab. pr. p. on. v.

the had that. was. soci. ver. Th. situ. ly. as. ed. no. be. th. ty. ab. pr. p. on. v.



**Crown.** It was a trait, and a *stated* trait given for the people's happiness, and too much caution could not be used in the disposal of it by proper hands. Parliament had taken upon themselves heretofore to dispose of the Crown itself. It surely, therefore, would be justified in the appointment of what was justly inferior. To allow that the Parliament had a right to nominate a Protector, and at the same time to say, that it must nominate the Prince, was allowing a right, and no right. That it might be expedient in this instance to name the Prince, was universally conceded. But that it would always be necessary to constitute the next in affinity to the Protectorship, he would firmly and assuredly deny. Of the virtues, of the filial piety of the Prince of Wales, every one must speak most favourably; but, suppose for a moment he was the opposite of what he is. Suppose, instead of spending his time, secluded from the world at Windsor, watching over the bed of his father, he had passed it riotously in the metropolis, had been raising cabals at home, had been intriguing abroad, had been throwing impediments in the way of his Father's return to the throne—Supposing this, is there one single Lord in this House who would get up in his place, and say, that the Parliament would not be doing a meritorious action in setting him aside from the government of the nation?

Amongst the precedents on the table, his Lordship observed, many had been drawn from the reign of Henry VI. He thought, that one might have been taken, and used with little violence from the commencement of it; he meant the Privy Council's assuming the nomination of the Duke of Bedford to the Protectorate. He thought that they were justly entitled to take such powers without the Parliament. He knew that it had now grown the fashion to apply to the two Houses on every emergency; but in his mind it was a pusillanimous step. It was introduced more particularly, and was gaining ground ever since, in the American War. Ministers might perhaps think that they were acting a secure part in sheltering themselves under a vote and sanction of the Houses. It might be secure, but it was disgraceful. It was doubly culpable, for it was not only playing safely themselves, but it was involving others in similar guilt.

In agitating the question of the rights of the Houses of Parliament, and of the claims of the Prince, in the way that they were now discussing, it had been urged by some that a clamour had arisen without doors. Where was that clamour to be found? Was it to be found in the city of London? Was it to be found amongst the merchants of this metropolis? He had seen an advertisement calling them to meet for a very distinct and wide purpose than that of censuring the proceedings which were now going forwards.—In fact, was there any populous city or town where such clamour did exist? The reverse of this was the fact. There were a few individuals who might happen not to be well pleased, who had reason perhaps not to be much rejoiced; but the greater part of mankind were apt to judge dispassionately, to see their proper interests in the true point of view, and from the frequent definition of what belonged to them, were now no longer at a loss where to claim, nor what to demand.

It was asserted, too, that if the Parliament did take to itself the authority of creating a Regent, if it went further, and presumed to limit or contract the executive power, it would be depriving the government of its energy, it would weaken the spring on whose strength the welfare of the state depended. But would that be the case? No. Would not foreigners behold that Prince with terror, who had been exalted to the high seat he held by the voice, the unanimous assent of a free and prosperous people? Would it not be setting an example to distant countries to search into their natural rights, and to enquire into the original design of dominion, which was not created for splendid pageantry, but for the real and substantial good of that society from whence it first originated? For himself, he gloried in the small share he should take in setting the government as he had described, for it was the only manner in which an independent, a free, a wise government ought to be adjusted.

Lord Loughborough then rose. He expressed his entire coincidence in the doctrine quoted from Judge Foster by the noble Marquis. He would admit that there was in this instance no positive and inherent right which of itself should vest in the Prince of Wales. He felt the strong necessity that Parliament should, in the first instance, recognize and adjudicate that right;—but he could by no means go to the length of some arguments which he had heard, and which stated the Regency to be positively elective, and that the two Houses of Parliament should be the Electors!

His Lordship proceeded to dwell at length on the words of the Resolutions and Precedents which had been offered to the House, of the latter, he said, that of the Revolution was most in point, and yet was by no means strictly applicable. The bonds of society were then broken, and the frame of the Government underwent a temporary dissolution!—This was by no means the case at present. Their situation, though hazardous, was not, comparatively speaking, so near “the brink and shoal of time” as in the instance alluded to—they were undoubtedly not far from danger, but there was in his mind no possible danger which could result, so much to be avoided as that of the two Houses, taking upon them to legislate, independent of the kingly authority. This danger was by no means precluded by their agreeing to interpose a commission for the purpose of giving the shadow of royal assent to their proceedings. On the contrary, it would be looked on as proceeding from a consciousness of their want of power, and a disavowal of the right, even in the very moment it was exercised!

[His Lordship entered very fully into the question of right, and its relation to the precedents before the House, with as much novelty as could possibly be introduced on a subject nearly exhausted, but the lateness of the hour will not permit us to pursue him into the detail.]

The Lord Chancellor combated the arguments and the positions laid down by the learned Lord who had preceded him. He asserted the authority of Parliament, as being the constitutional resource in calamities of this nature. He declared that the political capacity of the King was always in the eye of the laws, sound, strong, and entire. He advanced, that strong as his political, was his natural capacity. That the King, though liable with all other men to the infirmities peculiar to their lot, was ever esteemed whole and integral in his personal capacity. These positions his Lordship exemplified with multifarious reasoning.—On the commission intended in the last resolution he remarked, that when perfection could not be arrived at, we must do our utmost to come the nearest to it. That ordering the King's Seal to be used on this occasion, would be clearly stamping upon the act the nature of the trust and in whose favour it was delegated. He treated the claims of the Prince with the respect that was due to them, but with that manly preservation of his own dignity which ever should characterize a worthy and an independent spirit. In mentioning the Heir Apparent, he spoke with great expression;—“Next to my King I reverence the Prince of Wales, nor do I believe that there is a Peer in this assembly who entertains a higher opinion of his heart and head. I pray that the Crown may, in succession, set upon his brow as undisturbed, and as ornamental, as it has upon his father's. I love him, and perchance he will not thank me for my love: But I want not thanks. In the step that I would this night encourage by my example, I inwardly feel that I am doing my duty, and am, however I am represented, serving at the same time my Prince. I am consulting not his temporary, but his lasting interest. I consider the Regency but as a secondary object, when I reflect on the Crown that shall be his hereafter. Though I should wish to possess his esteem, I will not aim at conciliating it, as some have done, by giving my countenance to the absurd and miserable endeavour which is now attempted.

[The Chancellor, in delivering the above, spoke with great warmth and vehemence, and on the whole made the most brilliant speech that has been spoken in that House for some years past.]

Lord Rawdon concluded the debate by a few observations in defence of the motion which his Lordship had submitted to the Committee.

At nearly one o'clock in the morning, the question being loudly called for, was put on his Lordship's amendment to the original proposition; when, on a division, there appeared

Contents — 66  
Non Contents — 99  
Majority against the amendment  
THIRTY-THREE.

The two remaining resolutions were carried without any debate, and in the form in which they were sent up by the Commons.

The House was then resumed, and adjourned to Monday, on which day the report of the Committee will be received.

**LIST of the Division in the HOUSE OF LORDS, on Friday the 26th of December.**

On the Question of the Amendment to the Resolutions moved by Lord Rawdon.

CONTENTS.	
The Dukes of York, Cumberland, Norfolk, Bedford, Portland, Devonshire, Northumberland, Marq. of Townshend, Earl of Derby, Huntingdon, Suffolk, Caillie, Sandwich, Sarnford, Exeter, Peterborough, Shaftsbury, Plymouth, Jersey, Scarborough, Cholmondeley, Buckinghamshire, Fitzwilliam, Hertford, Rotherham, Spencer, Abercromby, Vis. Hereford, Bolingbroke, Vis. Maynard,	Vis. Hampden, Lords Audley, St John, Clifton (E. of Darley), Teynham, Craven, Boyle (Earl of Cork), Hay (Earl of Kinnoul), Cadogan, Moulton, Chelworth, Ponsonby (Earl of Bessborough), Walpole, Pelham, Egmont, Vernon, Cardiffo, Hawke, Foley, Loughborough, Portchester, Rodney, Rawdon, Douglas (D. of Queensberry), Malmesbury, Bishop of Winchester, Lardoff, Briffol.

NON CONTENTS.	
The Dukes of Richmond, Beaufort, St Albans, Brandon, Chaudes, Bridgewater, Newcastle, Montague, Marquesses of Stafford, La Fosse, Earls of Salisbury, Donagh, Westmoreland, Windlesor, Chesterfield, Essex, Douglaster, Alington, Gainsborough, Rochford, Coventry, Pawlet, Oxford, Aylesford, St. Ives, Stanhope, Newcastle, Earl (D. of Roxburgh), Walgrave, Harrington, Warwick, Harcourt, Darnley, Farnborough, Delaware, Radnor, Chatham, Rushurst,	Falmouth, Edgcombe, Lords W. de Brouke, Howard of Walden, Osborne (Marquis of Carnarben), Middleton, Orillow, Romney, King, Montford, Fortescue, Scarsdale, Liston, Ligon, Dundas (Duke of Argyll), Amherst, Rivers, Thurlow (Chanc.), Larroby, B. de la, Wallingham, Dugot, Sydney, Louisa, Carveret, Elliot, E. de la, Somers, Bismarck, D. de la, Hawkebury, Dover, Archb. of Canterbury, Bishop of London, Durham, Bath and Wells, Carlisle.

SCOTLAND.	
Earls of Argyll, Glenelg, Leith, Uxbridge, Newish (D. of Gordon), Talbot, Strange (D. of Atholl), Hume, Vis. Wemyss,	Salisbury, Peterborough, Worcester, Chester, Lincoln, Bangor, Gloucester, St David's.

SCOTLAND.	
Marq. of Lothian, Earls of Eglington, Caillie, Selkirk,	Breadalbane, Vis. Galloway, Lord Kinnaird.

NON CONTENTS.	
Earls of Morton, Moray, Calloway,	Earl of Hopetoun, Lords Elphinstone, Cathcart.

The following Peers, who would have voted with the Minority, were absent on account of illness, though in town—The D. of Gloucester, Lords Sandys, Earl of Egremont, Grantley.

**L O N D O N, — Dec. 29.**

Yesterday noon the Prince of Wales visited the King at Kew; after which, he was introduced to the Queen and Princesses, and in the evening returned to Carlton-house.

On Thursday night their Royal Highnesses the Prince of Wales and Duke of York, paid a visit to the Queen and Princesses at Kew Palace.

Yesterday at noon, his Royal Highness the Prince of Wales, had a conference with the Right Hon. Charles James Fox, at his house in St James's-street.

Yesterday morning the Lord Chancellor sent a message to Mr Fox, desiring his attendance on his Lordship at his house in Great Ormond-street, on particular business.

The Prince has been for these last ten days engaged in studying all the existing treaties with the various European powers; together with all our commercial regulations at present in force.

Friday morning died, in the 95th year of his age, at his apartments in Chelsea College, Dr Messenger Mosley, a gentleman generally known as a man of genius and literature.

Friday evening, at half past ten o'clock, about half-past five, a fire broke out at Somerset Place, and in consequence, carriages have been prevented driving over it ever since Thursday morning. Upwards of twenty workmen were employed all Friday in propping and shoring up the arches, and providentially the city was happily suspended, so that no lives were lost.

**EDINBURGH.**

**Kew House, Dec. 28.**

“His Majesty passed the whole day, yesterday, in every respect better than he has hitherto done. His Majesty has had a very good night, and is calm this morning.”

G. Baker.  
J. T. P.  
W. Willis.

**Kew-house, Dec. 29.**

“His Majesty passed yesterday quietly, and had a good night, but is not quite calm this morning.”

R. Warren,  
J. Gilchrist,  
W. Willis.

Last night, the Lady of Sir Thomas Moncrieff, Bart, was safely delivered of a son at his house, North Frederick-street.

On Tuesday last, was married here, Patrick Smith, Esq; late Captain of the 2d regiment of dragoons, to Miss Elizabeth Dyfart, daughter of the deceased Mr Sandilands Dyfart, minister at Eccles.

Died at London, 23d December; Captain Richard Murray, of the Royal Navy, youngest son of the deceased Alexander Murray of Cringlety, Esq;

On Tuesday last, died here, Mr Robert Hope

writer. It is equally curious as singular, (says one of our correspondents) to remark, that Mr Pitt carried the question lately agitated in the House of Lords by a majority of 33, being exactly the same number of Peers he himself has made since he came into Administration in the 1794.

We are happy to mention, to the honour of the lower class of inhabitants, that no riot or mischief whatever took place in the streets last night, as has been too frequently the case on former occasions.

Yesterday Captain Robertson received a guinea from a charitable gentleman for the use of the prisoners. And this day, each prisoner received one pound of beef, a penny loaf, and a bottle of porter given them by another charitable gentleman.

This day, Mr Hewitt, Captain of the Canongate tolbooth, received half-a-guinea and half-a-crown, being the donation of two charitably disposed ladies, for the use of the unfortunate persons confined in that prison.

Yesterday, the noted Mary Anne Jean Bertram, alias Heggie, was drummed through the city by sentence of the Magistrates.

Same day, was whipped through the city, likewise by sentence of the Magistrates, Nathaniel Walker, convicted of stealing mail.

**SHERIFF COURT.**

**SMITH OF BELMONT, ver. JOHN HAIG.**

We took notice in our last of this trial, so far as in our power at that time. It has since been determined; and the following is a short statement of particulars.

The libel being read, Mr Fraser Tyler, counsel for Mr Haig, said, he did not intend to make any objections to the relevancy of the libel. The facts therein stated sufficiently warranted the conclusion. He hoped, however, to be able to prove such facts and circumstances in favour of his client, as would not only alleviate, but exculpate him altogether from any degree of criminality on account of the assault libelled on.—The defender, he said, was a very young man. He had, but a few years ago, begun business as a Distiller at Leochin, in which he had

been unsuccessful. He was induced to set up this trade not from any predilection of his own. In this particular he was determined by the advice of those whom he was bound to respect—his near relations, men of superior years and experience, who had themselves for a long period followed the same line of business. Whether owing to the severity of the revenue laws, the rigorous interpretation of these laws, or from whatever other cause, it would appear, that they were all engaged in an improfitable trade; and a late act of Parliament, passed, as it is alleged, contrary to good faith, knocked up the business altogether. Most of the principal distillers failed; among the rest, his client Mr Haig. The defender was so much affected by the unfortunate situation to which he and his family were by this means reduced, that his health was greatly impaired. He was therefore advised to go to the country, where he might have the benefit of fresh air and exercise. He accordingly took a house at a little distance from town; and, as an incitement to exercise, wished to try the shooting. He did not, however, choose to go about as a poacher. He took out a regular license from the Stamp Office; and had permission from several Gentlemen of the county to shoot upon their grounds, particularly from Mr Mitchellson of Clerminton. One day in October last, in going to, or returning from Mr Mitchellson's fields, he happened to pass through Mr Smiton's grounds, as being the nearest way, when he was accosted by one of Mr Smiton's servants, who, in a boisterous manner, told him, he must go and speak to Mr Smiton. To which Mr Haig replied, that, as he would tell him his name and place of abode, there was no occasion for him to go to Mr Smiton. Upon which the servant seized his gun, and being stronger than he, wrested it from him. Mr Haig then went along with him to Mr Smiton; and having told Mr Smiton his name and place of abode, the latter asked, “If he was one of the Distillers ‘Haigs’?”—to which Mr Haig answered that he was. Upon which Mr Smiton got into a violent passion, and cursed and swore, and called Mr Haig by every opprobrious name. Not content with this, when Mr Haig was going away home, Mr Smiton desired his servants to go after him and strip him; but they, more humane than their master, having declined this office, Mr Smiton came forward himself, and reached out his hand to take off Mr Haig's hat. Being disappointed in this attempt, Mr Haig having driven his aim aside, Mr Smiton lifted up his cane, and gave him all the abusive language he could think of. Mr Haig then went away without saying any thing, and without getting back his gun, which Mr Smiton has thought proper to retain, tho' it is a well-known fact, acknowledged by the Court of Justiciary in the trial of Mungo Campbell, that no gentleman has a right to seize the gun of any person, even of a poacher, for shooting on his ground. Mr Haig had no opportunity at the time of taking satisfaction of Mr Smiton for his insolence. One man unarmed was no match for Mr Smiton and two or three servants. He therefore was obliged to put up with the insult till such time as an opportunity should occur, when he was determined to have redress. This did not happen till the 24th of October, when having met with him on the Laurieston road, near the ice-house, he accosted him in a civil manner, and asked him to make an apology for the usage he had given him. This Mr Smiton not only refused, but repeated his former abusive language, to which Mr Haig made a suitable return. From words they fell to blows; and he thinks Mr Smiton gave the first blow, at least his stick was first up. When they were separated by some people coming up, Mr Smiton's left cheek was bleeding, and Mr Haig's right hand had got a scratch with Mr Smiton's cane. Such is the precise state of the fact, from which it is submitted, if Mr Haig did not receive such an insult as it was impossible for human nature to bear; and that he did no more than what any man would have done on a similar occasion. He was well entitled to demand an apology from Mr Smiton, and he went about this in the most decent peaceable manner, till provoked a second time by Mr Smiton, and even threatened or struck with his cane, when he was well justified in doing what he did.

Mr Hope, counsel for Mr Smiton, said, he was sorry to be obliged to through out any thing that would hurt the feelings of Mr Haig as a gentleman; but he could not help observing, both as a lawyer and a gentleman, that he had not acted in a becoming manner. No person is by law allowed to take redress at his own hands. It is true, there is a law, which he could not plead at that bar, but was well known among gentlemen, that when a person receives a gross affront, he is intitled to demand reparation. Had Mr Haig, immediately after his being used in the manner he was by Mr Smiton, insisted on proper satisfaction, he would have thought his conduct justifiable by the laws of honour. But he did not do this. He harboured his resentment in his breast for near six weeks, during all which time he was watching an opportunity of revenge on Mr Smiton, a gentleman much his superior in years, and not a match for him in bodily strength. This was not a method a man of honour would have pursued, and was highly culpable.

Mr Abercrombie, counsel for Mr Haig, replied, that Mr Haig could not well have acted more prudently than he had done. From his particular situation, it would have been very improper for him to have sent a challenge to Mr Smiton. He therefore waited patiently till an opportunity should offer of coming to an explanation with that Gentleman. He at last found it, and embraced it. Nor was there any thing unjustifiable in a person's postponing for some time, his demand of satisfaction for an insult. The famous case of Mr Lockhart (afterwards Lord Corington) and Mr Siveright, is well known. These Gentlemen had both estates and lived in the neighbourhood of each other, and having had some difference, Mr Siveright sent Mr Lockhart a very insulting letter. To this Mr Lockhart made no reply; but some weeks after, when he was coming to Edinburgh in his carriage with his daughter, Mr Siveright met him, and abused him with the most opprobrious language. Mr Lockhart made no reply.



Some time after, however, having met in the fields with Mr Siveright, he gave him a hearty drubbing with his cane. Upon which Mr Siveright professed him before the Court of Justiciary for the assault; and the same argument was used against Mr Lockhart that is now used on the present occasion, that he should have taken his revenge instantly, or not at all. The jury, however, were of a different opinion. They not only absolved Mr Lockhart, but recommended to the Court to take some notice of the conduct of Mr Siveright.

There is no room to infer the depositions of the witnesses. Suffice it to say, the evidence turned out nearly as stated by Mr Tyler.

Mr Solicitor General summed up the evidence for the prosecutor with much ability, as did Mr Abercrombie on the part of Mr Haig.

Mr Sheriff Cockburn then made a very liberal, concise, and genteel speech to the jury, in which he observed, that he felt as the guardian of the laws of his country, and of the forms of the court; but it was the province of the jury to judge of the evidence, and he considered it as his duty not to give the smallest hint of his opinion. The evidence had been taken down in writing, and was to remain with the jury for their consideration. With the jury he left the whole circumstances of the case, without saying a word that might prejudice them one way or other; he only hoped they would return a plain, clear, and accurate verdict, that he might apply the law without difficulty.

The jury were then enclosed, and appointed to return their verdict on Wednesday at twelve o'clock noon, which they accordingly did, all in one voice finding the libel *Not Proven*.

After the verdict had been recorded and read, the Sheriff addressed the jury, in a very neat and well-delivered speech, in which he thanked them, in the name of their country, for the great attention they had paid to the whole proceedings during a long and a fatiguing trial. At the same time, he observed, that as juries were sworn to return such verdicts as would satisfy their own minds, after a cool and deliberate examination of the whole evidence laid before them, he did not think it belonged to the province of a Judge either to censure or commend them on account of the particular verdict they might return, for which he was clearly of opinion they were answerable to none but God and their own consciences. The Sheriff then said, he thought himself bound in duty as a Judge, to address a few words to Mr Haig. He was of opinion, that gentleman was peculiarly fortunate in the manner Mr Smiton had been advised to conduct the prosecution against him; because, had he sued for damages only, without at the same time concluding for the pains of law, he was persuaded no Court, from the proof that was laid before them in this case, could have had the smallest hesitation in finding Mr Smiton entitled to very heavy damages. Mr Smiton had been otherwise advised; and the consequence was, that Mr Haig, by a verdict of his country, fell to be acquitted. He, however, as a Judge, thought it his duty to inform Mr Haig, that his conduct in the business had been highly reprehensible. There was no case that could possibly occur, for which the laws of the land had not provided a remedy, and no man was justified in taking redress at his own hand. Mr Haig having presumed to revenge himself, had trampled upon the laws of his country, and therefore was highly culpable. The Sheriff having declared his sentiments on a considerable length, in the capacity of a Judge, begged leave to say a few words as a Gentleman; and he was equally clear, in that character, to give his opinion, that Mr Haig had conducted himself improperly. Had he thought he had been treated with insolence by Mr Smiton, and he was ready to acknowledge, he had, on their first interview at Belmount, received the highest provocation, it was Mr Haig's duty to have sent a friend next day to Mr Smiton to demand a proper apology; and, if that had been refused, to have informed him, that he might depend upon being chastised for his insolence the first time they met. This conduct, which, as a man who smarted under an injury, was the most natural to be pursued, Mr Haig did not follow; on the contrary, he attacked Mr Smiton at a time when the latter had no reason to expect it, and without any previous warning. The unequal footing upon which they met, the Sheriff likewise thought, militated strongly against Mr Haig, where youth was opposed to age, and strength to weakness. Upon the whole, the Sheriff was decidedly of opinion, that Mr Haig had acted wrong in every possible view of the case. He said he was convinced that no one who knew him would accuse him of illiberality of sentiment; but he could not help observing, that it perhaps, became Mr Haig worse than most other people to stand in the present predicament. His name had before been to much in the mouths of the public, that it should have been his peculiar study not again to have forced himself forward in so conspicuous a point of view.

Mr Haig was absolved, and dismissed *simpliciter* from the bar.

At Perth, and within the Council-house thereof, the twenty-ninth day of December, seventeen hundred and eighty-eight years, the Magistrates and Town-Council of the said Royal Borough being met, **RESOLVED UNANIMOUSLY**, That the thanks of this Council should be transmitted to the Right Honourable WILLIAM PITT, Chancellor of the Exchequer, for his upright and active administration, which has proved so beneficial to the British empire; and, in particular, they highly approve of his conduct, and that of the other members of the House of Commons, who, upon the 16th instant, supported the rights, and declared the duty of the Houses of Lords and Commons, to provide the means for supplying the present much lamented suspension of the executive power, which, in the humble opinion of this Corporation, was voted upon true constitutional principles.

Signed by appointment of the said Council,  
JOHN CAW, Provost.

At a meeting of the Provost, Magistrates, and Town-Council of STIRLING, held for the purpose of considering the present state of the nation, on Monday the twenty-ninth day of December, one thousand seven hundred and eighty-eight years, Resolved unanimously,

1<sup>mo</sup>, That, during the present indisposition of our gracious Sovereign, it is the right of the people, by means of their representatives in Parliament, together with the Lords Spiritual and Temporal, to devise means for supplying the defect in the execution of the sovereign power.

2<sup>do</sup>, That the thanks of the Council are due to the Right Honourable WILLIAM PITT, for the loyal and spirited declaration of such right moved by him in the House of Commons on the 16th current, and to the two hundred and sixty-seven members who voted with him on that occasion.

3<sup>do</sup>, That in the event of a sole Regent being appointed, it will be most for the interest of the country, that such limitations be put upon his power, as the wisdom of Parliament shall judge necessary, for the better preventing injury to, and securing the constitutional rights of the subject.

4<sup>to</sup>, That these resolutions be published in the London Chronicle, and Edinburgh newspapers, and that the Provost transmit a copy of them to Mr Pitt, with a letter, expressing the high sense of esteem and gratitude this Council have of his conduct, as well on the late as former occasions.

Signed in the name, and by appointment of the Council,  
HENRY JAFFRAY, Provost.

Extract of a letter from Aberdeen, Dec. 29.

"On Saturday last, the Magistrates and Town Council of this city unanimously resolved, 'That their thanks be given to the Right Hon. William Pitt, Chancellor of the Exchequer, for his upright and manly conduct in the administration of public affairs, and particularly for his steadiness in pursuing Constitutional measures to supply the defect which the kingdom now sustains by his Majesty's indisposition.' Of which, by appointment of the Council, the Lord Provost advised Mr Pitt by that night's post."

"On Tuesday last, the following curious case occurred before the Magistrates. In the beginning of October last, Charles Cruikshank, carter, was contracted to be married with one Susan Melvin, and their banns were regularly proclaimed, of which the bridegroom took out the usual certificate; previous, however, to the marriage, the bride fell sick, and her apparent husband not feeling any prospect of her speedy recovery, paid his addresses to a widow of the name of Elizabeth Allan, who agreed to marry him; but in order to avoid the penalty of not performing his first engagement, as well as to avoid the expense of new proclamation, Cruikshank fell upon a very ingenious device.—He went to one of the ministers of this city, and gave in the certificate of his proclamation with Susan Melvin, and made his new bride call herself by that name; they also contrived a plausible story of the bride's sickness as a reason for their having delayed the marriage. The minister, who entertained no suspicion, was completely deceived and married them; the same night however, the trick was discovered, and next day the Procurator Fiscal complained of them for the fraud, and for having procured themselves to be irregularly married; they fully acknowledged the fact as above stated, and the Magistrates, thinking the example exceedingly dangerous and improper, determined to put the law strictly in execution; they therefore fined Cruikshank in 100 merks, and sentenced him to be imprisoned for three months, and thereafter until he should pay the fine. The wife begged hard for her husband's liberty, offering to double or triple the fine as a commutation, but to no purpose. We hope this example will have the effect to prevent similar frauds in time coming."

"On Sunday morning a vessel named the Unity of Greenock, with dials from Norway, was thro' the violence of the weather, drove on shore hard by the bar of Spey. The men and cargo are safe, and it is thought, should the weather keep moderate, the vessel may with little damage be got off."

Extract of a letter from a gentleman in Jamaica to his friend in Edinburgh, (received by the Grantham Packet) dated October 7.

"We have had no hurricanes.—Our crops are excellent; fully as good, if not better than the last."

On Tuesday next, the 6th current, the ASSEMBLIES at LEITH commence for this season.—The Dancing to begin at half past Six.

SAILED FROM GREENOCK.  
Dec. 26. Mariana, Rankin, for Antigua, goods.  
Aids, Lamont, for Dublin, ditto.

27. Katty, Thomson, for Ostend, tobacco.  
Christie, McLaughlin, for Dublin, goods.  
Ellex, Ker, for Dunkirk, tobacco.

HIGH WATER AT LEITH.  
Moon's Forenoon. Afternoon.  
Thursd., Jan. 1. 6 30 5 38  
Friday, — 2. 7 6 19 6 40  
Saturday, — 3. 8 7 1 7 23

Thermometer and Barometer since our last:  
Monday, Dec. 29. 8 P. M. — 36 — 30.0  
Tuesday, — 30. 8 A. M. — 37 — 29.15  
— 8 P. M. — 48 — 29.67  
Wednesday, — 31. 8 A. M. — 38 — 29.37  
— 8 P. M. — 33 — 29.20  
Thursday, Jan. 1. 8 A. M. — 30 — 29.70

TO THE HONOURABLE  
Commissioners of Supply,  
For the County of Roxburgh.

Livingstone, near Jedburgh, December 31. 1788.  
GENTLEMEN,

THE Office of Collector of Supply having become vacant by the death of the Honorable George Cranston, I beg leave to offer myself as a Candidate for that important employment, in which I have officiated for three years past as deputy.

I have the honour to be, Gentlemen,  
Your most obedient and most humble servant,  
J. RUTHERFORD.

### Prince Pitt, or, the Patriot Minister!

DESTROYED the freedom of elections, and the rights of the people, by the Westminster curia!

Brought forward the Irish Propositions, in order to promote the trade of England, by transferring it to Ireland! Took the light of Heaven, to pay the debts of India! Extended the Excise laws, and encouraged perjured informers!

Taxed every shop in England, because the electors of Westminster rejected the Court candidate!

Supported the Duke of Richmond's infamous and extravagant projects of erecting fortifications, under pretence of encouraging the navy!

Ruined the Wooden Walls of Old England; broke the hearts of many gallant officers who fought our battles on the Glorious Twelfth of April, by passing them over in the naval promotion, and gave flags to those who betrayed their brother officers, and supported fortifications!

Borrowed the tyrannical plan of collecting taxes from the arbitrary government of France, and appointed Farmers General in every county in England to collect the abominable horse tax!

Destroys the rights of the House of Brunswick—is competitor of the Prince of Wales for the Regency—propose to change the constitution of England, and destroy the prerogative of the Crown, under pretence of preserving both; but, in reality, in order to preserve

To Himself, the Patronage of the Treasury!  
To his Brother, the Patronage of the Admiralty!  
To Lady Chatham's Father, the Home Secretaryship of State!

To his Cousin William Grenville, the Patronage of the Pay-office!  
To his Tool, Henry Dundas, the Navy Pay-office, and complete Patronage of India!

And to his Cousins, the Marquis of Buckingham, and General Pitt, the civil and military Power and Patronage of Ireland!

### NOTICE

To the CREDITORS of WILLIAM MACQUEEN, Carpet Manufacturer at Craik Bridge, near Sanquhar.

UPON the application of a Creditor duly qualified, Lord Swinton, as Ordinary officiating on the bills, upon the 30th day of December last, sequestrated the whole real and personal estate of the said William Macqueen, and appointed his Creditors to meet in the house of Edward Whigham, vintner in Sanquhar, upon the 13th day of January next, at twelve o'clock noon, for the purpose of choosing an interim factor on said sequestrated estate, of which intimation is hereby given to all concerned, in terms of the statute.

### NOTICE

To the CREDITORS of ALEXANDER RIACH, Merchant in Tain.

THAT upon the application of the said Alexander Riach, with content of Creditors to the extent required by law, Lord Swinton Ordinary, officiating on the bills, by interlocutor 30th December last, sequestrated the whole real and personal estate of the said Alexander Riach, situated within the jurisdiction of the Court; and appointed his creditors to meet at Tain, within the house of Mrs Sutherland, vintner there, on the 16th day of January current, at twelve o'clock noon, for the purpose of naming an interim-factor on the said sequestrated estate.

Of which this intimation is given to all concerned.

### NOTICE

To the CREDITORS of ROBERT STEIN of Kincaid.

A State of such of the bankrupt's effects as have been converted into money, and a state of the debts which have been proved on his estate, and lodged in terms of the law, with a general state of the bankrupt's affairs, brought down to the 1st day of December last, have been made up by the trustees on the sequestrated estates of the said Robert Stein, and will lie at the house of David Stewart, banker in Edinburgh, one of the trustees, open for the inspection of the creditors or their agents, until Monday the 2d day of March next, when the trustees request a general meeting of the creditors, within the Royal Exchange Coffeehouse, Edinburgh, at twelve o'clock noon, to give such orders as shall appear necessary for the future management of the estate.

### NOTICE

To the CREDITORS of JAMES HAIG and CO. late Distillers at Canonmills, and of JAMES HAIG, the only partner of that Company.

A State of such of the bankrupt's effects as have been converted into money, and a state of the debts which have been proved on their estates, and lodged in terms of the law, with a general state of the bankrupt's affairs brought down to the 4th day of December last, have been made up by the trustees on the sequestrated estates of the said James Haig and Co. and James Haig, and will lie at the house of David Stewart, banker in Edinburgh, one of the trustees, open for the inspection of the creditors or their agents, until Wednesday the 4th day of March next, when the trustees request a general meeting of the creditors, within the Royal Exchange Coffeehouse, Edinburgh, at twelve o'clock noon, to give such orders as shall appear necessary for the future management of the estate.

### NOTICE

To the CREDITORS of JOHN WATSON, Cooper and Brewer in Aberdeen.

JOHN WATSON, Advocate in Aberdeen, trustee on the sequestrated estate of the said John Watson, hereby intimates to the creditors, That a general meeting is to be held upon Tuesday the 27th day of January 1789, within the house of Alexander Macon, vintner, Queen Street, Aberdeen, at twelve o'clock mid-day, when there will be laid before the creditors a state of the debts which have been proved, of the funds recovered, and of the bankrupt's affairs in general. In the mean time these lie in the trustee's hands open for the inspection of the creditors or their agents.

### NOTICE

To the CREDITORS of JAMES ANGUS and CO. Merchants in Glasgow, and of JAMES ANGUS and JAMES MEWAN, partners of the said Company, as individuals.

HE estates real and personal of the said James Angus and Co. and of James Angus and James Mewan as individuals, having been sequestrated upon the 11th day of November last, Walter Ewing, merchant in Glasgow, was chosen interim factor thereon. He has since been chosen trustee upon the sequestrated estate; & his appointment has since been confirmed by the Court of Session: He therefore, in terms of the statute, requires the whole creditors of the said James Angus and Co. and of the said James Angus and James Mewan as individuals, to lodge with him their claims and vouchers or grounds of debt, with oaths on the verity thereof, betwixt and the 11th day of August 1789, being nine kalendar months from the date of the interlocutor awarding the sequestration; certifying all those who shall not comply with this requisition, that they will be excluded from any share in the first distribution of the sequestrated estate.

### AT LONDON—FOR LEITH, THE ENDEAVOUR,

ROBERT ROBERTSON Master, Now lying at Hawley's Wharf, taking in goods for Leith, Edinburgh, and places adjacent, and will sail the 7th January inst.

The Endeavour has good accommodation for passengers.

The master to be spoke with at the Edinburgh Coffeehouse, Sweeting's Alley; mornings and evenings on board.

### New Assembly Rooms, GEORGE'S STREET.

THE Proprietors, at a general meeting, held the 1st December, adopted the following plan for the regulation of the amusements of the Rooms, for the ensuing season.

1. That there be twelve ordinary Assemblies during the season, under the direction of the Master of Ceremonies, to commence the second Thursday of January next, and to be continued weekly.

2. Gentlemen who are proprietors of the Rooms, to pay a Guinea and a half each, for the twelve Assemblies.

3. Gentlemen not proprietors, to pay two Guineas each.

4. Ladies to pay One Pound Four Shillings each.

5. Gentlemen's tickets to be transferable to Gentlemen without any additional expense of admittance on each night only for which the tickets are issued, and Ladies tickets to be transferable in the same manner to Ladies.

6. By reason of the great additional expense of lighting the Rooms, as well as of servants and music, admittance to Gentlemen who are not subscribers to be five shillings.

7. Ladies not subscribers, three shillings.

Books of subscription are opened in the hands of the Master of Ceremonies, and of Mr Thomas Sanderson, treasurer to the Assembly Rooms, at his shop, Luckenbooths.

### NOTICE

THE Trustee upon the sequestrated estate belonging to ANDREW MARSHALL, late Ship builder in Kincaid, requests a meeting of his Creditors upon Friday the 23d January next, at one o'clock afternoon, in John's Coffee house, Edinburgh, to advise with regard to the prosecution of some doubtful claims.

ALEX. BIRNIE.

### NOTICE

To the CREDITORS of ALEXANDER M'LAREN Of Easthaugh.

THE Lands of Easthaugh, belonging to the said Alexander M'Laren, being now sold, and the price to be soon paid, his creditors are requested to lodge a note of their claims and vouchers of debt against him, either in the hands of Mr M'Laren himself, at Easthaugh, Mr Charles M'Glashan at Fungorth, near Dundee, or of Adam Stewart, writer, No. 9. St James's Square, Edinburgh, and that between the 23d of January next. Such as fail will have themselves to blame for the consequences of their neglect. Not to be repeated.

### NOTICE

To the CREDITORS of ANDREW BAIRD, Merchant in Easthaugh.

WILLIAM STEWART, Writer in Glasgow, the Trustee, requests a meeting of these Creditors in the house of Robert Provan vintner, west end of the Exchange, Glasgow, at one o'clock, upon Tuesday the 20th day of January current, to fix the upset price of Robert Baird's heritable subjects.

And as very few of the creditors have yet lodged their grounds of debt and oaths of verity with the trustee, in terms of the act of Parliament, he takes the present opportunity of informing them, that unless they are lodged forthwith, they will not be entitled to draw any share of the first dividend.

### WISBECH

WILL COVER next season at STANLEY-FARM, near Perth, at two Guineas a Mare, and Five Shillings the groom. He is a beautiful dark brown horse, fifteen hands and a half high, of great strength, and free from all natural blemishes.

In 1780 he won a 50 l. plate at Wisbech, and the King's Plate at Nottingham, beating seven others. He has since been well known in Leicestershire as a most capital hunter.

Wisebech was got by the Saanah Arabian, dam by Sampson, grandam by Oroonoko, great grandam by the Gosholpin Arabian, and he was sired by Lord Londale's Mirza, that never was beat.

N. B. The Saanah Arabian was the sire of Stoick, Wentworth, Marshall, and other good runners; likewise of Mr Wyndham's 'Marquis, now reckoned the stoutest and best hunter in England for a high weight.

From his blood, action, and bone, Wisebech may be expected to get valuable stock, as racers, hunters, or coach-horses. His foals of this year, which are the first, are very promising and much esteemed in the neighbourhood of Belvoir Castle in Leicestershire.

As it is intended that he shall not cover more than forty mares besides those of the owner, a subscription paper is left with Mr Marshall at the King's Arms, Perth, and as soon as forty mares are subscribed for the subscription will be closed. The money to be paid before the mares are taken away, or in the month of June next, if they are not sent.

### BY ADJOURNMENT.

Judicial Sale of Lands in Aberdeenshire.

Upset price still farther reduced.

To be SOLD by public roup, by authority of the Lords of Council and Session, in the Parliament or New Session-house at Edinburgh, upon Tuesday the 3d day of February 1789, between the hours of five and six afternoon.

THE remaining part of the Lands and Estate which belonged to Alexander Achyndachy of Kincaid, viz.

The TOWN and LANDS of  
Civilly, Muirhead, AND, Meiklehaugh, Achredachy, Beddelshlock, the Lands of Old Keig, and Mill thereof, with the tithes and pertinents, all lying within the parish of Keig, and the shire of Aberdeen. The proven yearly rent of these lands is 129 l. 11 s. 2 d. 1-12th Sterling, which, at twenty-five years purchase, is 3238 l. 19 s. 10 d. 4-12th Sterling—but, on different applications to the Courts, is now reduced to 2870 l. Sterling, which is to be the upset price.

These lands are situated in a rich country, are capable of great improvement, and, being out of lease at present, a considerable rise of rent may be expected.

The title-deeds, rental, and measurement of the lands, and articles of the roup, may be seen in the hands of George Kirkpatrick, depute-clerk of Session; and for further information, application may be made to John Gordon, clerk to the signet, agent in the sale, or to William Nicoll, advocate, Aberdeen.

### A VESSEL FOR SALE.

TO be SOLD by voluntary roup, within the Ship Coffeehouse, Leith, on Monday 26th January current, at six o'clock in the evening.

The Ship

Mary Ann of Wemyss, A Brigantine of about 300 tons burthen, of oak and British built; with all her materials, as the now lies in the harbour of Leith.

She is a strong vessel, well calculated for the Baltic trade, being of a light draught of water; flows well, and sails with little or no ballast.

The ship will be seen by applying to Andrew Alison rope-maker, or James Hall merchant, Leith, who will also show an inventory of her materials; and the rights and conditions of sale are to be seen in the hands of Thomas Gordon, writer to the signet.

N. B. Persons having claims against said Vessel, or against the late Captain James Pringle, are desired immediately to lodge notes of the same with the said Thomas Gordon (to lodge certification if they neglect to comply with this intimation, that after the vessel is sold the price will be divided among the creditors appearing, and others having interest, and that thereafter the exporters are not to be liable for payment of any such claims.

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